

Environmental Protection Agency

§ 256.06

plan as required in paragraph (f)(3) of this section.

[44 FR 45079, July 31, 1979, as amended at 46 FR 47051, Sept. 23, 1981]

§ 256.05 Annual work program.

(a) The annual work program submitted for financial assistance under section 4008(a)(1) and described in the grant regulations (40 CFR part 35) shall be reviewed by the Administrator in order to determine whether the State plan is being implemented by the State.

(b) The Administrator and the State shall agree on the contents of the annual work program. The Administrator will consider State initiatives and priorities, in light of the goals of the Act, in determining annual work programs for each State. The annual work program represents a State's obligation incurred by acceptance of financial assistance.

(c) Annual guidance for the development of State work programs will be issued by EPA. While this guidance will establish annual national priorities, flexibility will be provided in order to accommodate differing State priorities.

(d) The following documents developed under the State plan shall be included by reference in the annual work program:

(1) Substate solid waste management plans,

(2) Plans for the development of facilities and services, including hazardous waste management facilities and services, and

(3) Evidence of actions or steps taken to close or upgrade open dumps.

(e) The annual work program shall allocate the distribution of Federal funds to agencies responsible for the development and implementation of the State plan.

§ 256.06 Definitions.

Terms not defined below have the meanings assigned them by section 1004 of the Act.

The Act means the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901 *et seq.*).

Criteria means the "Criteria for Classification of Solid Waste Disposal Fa-

cilities", 40 CFR Part 257, promulgated under section 4004(a) of the Act.

Facility refers to any resource recovery system or component thereof, any system, program or facility for resource conservation, and any facility for collection, source separation, storage, transportation, transfer, processing, treatment or disposal of solid waste, including hazardous waste, whether such facility is associated with facilities generating such wastes or not.

Implementation means putting the plan into practice by carrying out planned activities, including compliance and enforcement activities, or ensuring such activities are carried out.

Inactive facility means a facility which no longer receives solid waste.

Inventory of open dumps means the inventory required under section 4005(b) and is defined as the list published by EPA of those disposal facilities which do not meet the criteria.

Operator includes facility owners and operators.

A *permit* is an entitlement to commence and continue operation of a facility as long as both procedural and performance standards are met. The term "permit" includes any functional equivalent such as a registration or license.

Planning includes identifying problems, defining objectives, collecting information, analyzing alternatives and determining necessary activities and courses of action.

Provide for in the phrase "the plan shall (should) provide for" means explain, establish or set forth steps or courses of action.

The term *shall* denotes requirements for the development and implementation of the State plan.

The term *should* denotes recommendations for the development and implementation of the State plan.

Substate refers to any public regional, local, county, municipal, or intermunicipal agency, or regional or local public (including interstate) solid or hazardous waste management authority, or other public agency below the State level.